

# SIKKIM

## GOVERNMENT



## GAZETTE

EXTRAORDINARY

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No. 145

GOVERNMENT OF SIKKIM  
LAW DEPARTMENT  
GANGTOK

No. 10/LD/1993.

Dated Gangtok the 18th October, 1993.

### NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 11th day of October, 1993 is hereby published for general information:—

THE SIKKIM LOTTERIES (PROHIBITION ON RUNNING OF AND SALE OF SINGLE DIGIT AND PRIVATE LOTTERY TICKETS ) ACT, 1993.

( ACT NO. 10 of 1993 )

AN

ACT

to prohibit running of or sale of single digit lottery and private lottery tickets in the State of Sikkim.

Whereas it has come to the notice of the State Government that the business of single digit lottery tickets in the State has been having serious social and economic impact detrimental to the society in general;

And whereas there has been a serious adverse effect on public order on account of the said lottery business ;

And whereas in view of the above it is deemed expedient to stop the business of single digit lottery as well as private lotteries in the State.

Be it enacted by the Legislative Assembly of Sikkim in the Forty-fourth Year of the Republic of India as follows :—

*Short title and commencement.*

1. (1) This Act may be called the Sikkim Lotteries (Prohibition on Running of and Sale of Single Digit and Private Lottery Tickets) Act, 1993.

(2) It shall be deemed to have come into force on the 1st day of August, 1993.

*Definitions.*

2. In this Act, unless the context otherwise, requires,—

(a) “agent” means the main stockist and includes an individual, a partnership firm, an association or group of individuals or a company registered under the law relating to registration of companies entrusted with the responsibility of sale of lottery tickets on agency basis;

(b) “lottery” means a scheme for distribution of prizes by lot or chance to those persons participating in the chances of a prize by purchasing ticket;

(c) “private lottery” means a lottery run by private individuals or Associations or firms to whom any authority may have given permission to run such lottery;

(d) “single digit lottery” means a scheme for distribution of prizes on the last single digit of a lottery ticket number for which prizes offered are more than the actual cost of the ticket;



(c) "ticket" in relation to any lottery or proposed lottery, includes any document evidencing the claim of a person to participate in the chances of a lottery.

*Prohibition on running of or sale of single digit and private lottery.*

3. Notwithstanding any agreement or contract entered into by the Government of Sikkim with any person, party or agent, no person, party or agent shall, with effect from the date of coming into force of this Act, run any private lottery, sale, deal, distribute or purchase any single digit lottery ticket within the territory of Sikkim, whether such private lottery or single digit lottery is organised within or outside the State of Sikkim:

Provided that nothing in this section shall affect the right of the Government to allow registered Societies or other recognised Institution to hold raffles or lucky draws for the purpose of raising funds for educational, charitable or other social causes.

*Penalty*

4. If any person, party or agent contravenes the provisions of section 3, he shall be punishable with imprisonment either description for a term which may extend to two years or with fine which may extend to ten thousand rupees, or with both.

*Other offences in connection with single digit and private lottery.*

5. If any person with a view to promoting or conduct of any single digit or private lottery ;

(a) prints or publishes any single digit or private lottery ticket, coupon or other document for use in the single digit lottery or private lottery; or

(b) offers or advertises for sale or has in his possession for the purpose of sale or distribution any single digit or private lottery ticket coupon, or other document for the use in single digit or private lottery; or

(c) prints, publishes or distributes or has in his possession for the purpose of publication and distribution,-

(i) any advertisement of single digit or private lottery; or

(ii) any such matter descriptive of or otherwise relating to the single digit or private lottery as is calculated to act as an inducement to persons to participate in such lottery; or

(d) brings, or invites any person to send into the territories of Sikkim for the purpose of sale or distribution, any single digit or private lottery ticket, coupon or other documents for use in any advertisement of single digit or private lottery; or

(e) uses any premises, or causes or knowingly permits any premises to be used for the purpose connected with the promotion or conduct of any single digit or private lottery ; or

(f) causes or procures or attempts to procure any person to do any of the acts specified in clauses (a) to (e) ;

he shall be punishable with imprisonment of either description for a term which may extend to one year or with fine which may extend to ten thousand rupees, or with both.

*Power of entry search, seizure, etc.*

6. (1) It shall be lawful for any police officer not below the rank of a Sub-Inspector authorised by the Government in this behalf by general or special order in writing ;

(a) to enter, if necessary by force, whether by day or night, with such assistance as he may consider necessary, any premises which he has reason to suspect are being used for the purposes connected with the promotion or conduct of any single digit and private lottery in contravention of the provisions of this Act ;

(b) to search the premises and the person whom he may find therein ;

(c) to take into custody and produce before a Magistrate all such persons whom he has reason to believe to be guilty of an offence punishable under this Act or against whom a reasonable complaint has

been made or credible information has been received or a reasonable suspicion exists of their having been concerned with the use of such premises for purposes connected with or with the promotion or conduct or any lottery in contravention of the provisions of this Act ; and

(d) to seize all things found therein which are intended to be used or reasonably suspected in having been used in connection with such lottery.

(2) All searches under this section shall be made in accordance with the provisions of the law relating to Criminal Procedure for the time being in force in the State.

*Offences to be  
cognizable and  
non-bailable.*

7. All offences under this Act shall be cognizable and non-bailable.

*Repeal and  
Saving.*

8. (1) The Sikkim lotteries ( Prohibition on Running of and Sale of Single Digit and Private Lottery Tickets) Ordinance, 1993, is hereby repealed.

*Ordinance No. 1  
of 1993.*

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.

By order of the Governor,

B. R. Pradhan  
Secretary to the Government of Sikkim  
Law Department.

F. No. 16(270)LD/93.